

REVISED LAWS OF MINNESOTA *94*

SUPPLEMENT 1909

CONTAINING

THE AMENDMENTS TO THE REVISED LAWS,
AND OTHER LAWS OF A GENERAL AND
PERMANENT NATURE, ENACTED
BY THE LEGISLATURE IN
1905, 1907, AND 1909

WITH HISTORICAL AND EXPLANATORY NOTES TO PRIOR STATUTES
AND FULL AND COMPLETE NOTES OF ALL
APPLICABLE DECISIONS

COMPILED AND ANNOTATED BY
FRANCIS B. TIFFANY

ST. PAUL
WEST PUBLISHING CO.

1910

§ [2660—]1 RESIGNATIONS—VACANCIES—REMOVALS. (Ch. 47)

[2660—]1. **Notary in detached county—Powers.**—That in any county which has heretofore been detached from another county of this state, and which has been newly created and organized, any notary public residing in such newly created and organized county, who was a resident of the county from which such new county was detached and created shall have the same powers during the unexpired term of his appointment as such notary public which he was authorized by law to exercise under the commission issued to him as a resident of the county from which said new county was detached and created, and within which he was originally appointed such notary public; and all acts heretofore done by any such notary public, while residing in said newly created and organized county, otherwise in conformity of law, are hereby declared to be legal and valid and to the same effect as if said notary public had been originally commissioned as a resident of said newly created and organized county; provided, that the provisions of this section shall not apply to any action or proceeding now pending in any court in this state. ('07 c. 323 § 1)

Historical.—"An act relating to notaries public and their powers in certain counties." Approved April 23, 1907.

[2660—]2. **Same—Record of commission.**—Such notary public so residing in said newly created and organized county shall have his commission as such notary public recorded by the clerk of the district court of said newly created and organized county in which he resides, or of the county to which said newly created county is attached for judicial purposes as provided in section two thousand six hundred sixty, Revised Laws 1905, and when so recorded shall be entitled to the same certificate of and from the clerk of said district court as provided in said section two thousand six hundred sixty, Revised Laws 1905. ('07 c. 323 § 2)

[2660—]3. **Same—Seal.**—Such notary shall also immediately upon the adoption of this act, provide himself with an official seal as provided in and in conformity with section two thousand six hundred fifty-eight, Revised Laws 1905. ('07 c. 323 § 3)

2661. Misconduct.

Cited in *Barnard v. Schuler*, 100 Minn. 289, 110 N. W. 966.

2663. Instrument of protest as evidence.

Cited in *Peabody v. Citizens' State Bank of St. Charles*, 98 Minn. 302, 103 N. W. 272.

CHAPTER 47.

RESIGNATIONS—VACANCIES—REMOVALS.

2667. Vacancies.

Subd. 4.—In quo warranto to determine the right to the office of county superintendent, the evidence did not show that respondent had ceased to be a resident of the county, and thereby vacated his office. *State ex rel. Young v. Hays*, 105 Minn. 399, 117 N. W. 615.

2668. Removal by governor.

Removal.—The county commissioners have no power to remove the county superintendent of schools. *State ex rel. Young v. Hays*, 105 Minn. 399, 117 N. W. 615.